



TOWN OF TYNGSBOROUGH

Office of the Board of Selectmen

25 Bryant Lane

Tyngsborough, MA 01879

Tel: 978 649-2300 Ext. 100 Fax: 978 649-2320

APPROVED

Board of Selectmen Meeting Minutes

Monday, May 14, 2012 at 6:00 P.M.

Community Room, Town Offices, 25 Bryant Lane

Members Present: Selectman Rick Reault, Selectman Robert Jackson, Selectwoman Karyn Puleo, Selectman Allen Curseaden, Selectman Corliss Lambert

Staff Present: Michael Gilleberto, Admin Assistant Therese Gay

The listing of matters are those reasonable anticipated by the Chairman which may be discussed at the meeting. Not all items listed may in fact be discussed, and other items not listed may also be brought up for discussion to the extent permitted by law.

1. 6:00 PM Open Meeting/Pledge of Allegiance/Read Agenda

The Chairman called the meeting to order. The Board introduced themselves. The Pledge of Allegiance was recited. The Agenda was read by Selectman Jackson in the absence of Clerk.

2. 6:05 PM New Business

A. Reorganization

Before reorganization started Selectman Lambert called a point of order that in the absence of a written set of policies or procedures on how to conduct election of new board officers. The Board, after a brief discussions voted 5-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to authorize Chairman Reault to conduct this evening's meeting.

The Chairman entertained nominations for Chairman. Selectwoman Puleo nominated Selectman Robert Jackson for Chairman, Chairman Reault asked if there were any other nominations twice more hearing no other nominations, the Board voted 5-0 on a motion by Selectwoman Puleo, second by Selectman Lambert to elect Selectman Robert Jackson as the Chairman.

The Chairman entertained nominations for Vice-Chairman. Selectman Jackson nominated Selectwoman Karyn Puleo for Vice-Chairman, Chairman Reault asked if there were any other nominations twice more, hearing no other nominations, the Board voted 5-0 on a motion by Selectman Jackson, second by Selectman Curseaden to elect Selectwoman Karyn Puleo as the Vice-Chairman.

The Chairman entertained nominations for Clerk. Selectman Jackson nominated Selectman Rick Reault for Clerk, Chairman Reault asked if there were any other nominations twice more, hearing no other nominations, the Board voted 5-0 on a motion by Selectman Jackson, second by Selectwoman Puleo to elect Selectman Rick Reault as the Clerk.

B. Set 2012-2013 Meeting Schedule

The Town Administrator presented the new meeting schedule to the Board, The Board having no changes to the schedule voted 5-0 to accept the meeting schedule as presented as a working document.

C. FY 2012-2013 Appointments - Discussion

The Town Administrator presented the appointment list and asked the Board on how they wish to proceed with the appointments. The Board asks that a form letter be sent to the various boards

and committees asking they committee members if they wish to be reappointed and to also place a public announcement advertising the soon to be vacancies and ask if residents are interested in service on the boards or committees to submit a letter of interest. The Board voted 5-0 on a motion by Selectman Lambert, second by Selectman Puleo to provide a form letter to prior appointees and also to publish and return letters of interest by Friday June 8, 2012.

The Board received a letter from a member of the Elderly and Disabled Taxation Aid Committee asking that the terms of the members be staggered. The Board voted 5-0 on a motion by Selectman Lambert, second by Selectwoman Puleo to adjust the appointees to staggered terms pending advice of Town Counsel.

D. Joint Meeting with the Conservation Commission - Hunter/Norton Property

The Board invited the Conservation Commission to a joint meeting to discuss the leasing of the Hunter/Norton Properties. The property has been leased to Mr. Mark Parlee and Mr. McGovern. The leases will expire on June 30th and the Board and Commission will write an RFP specific to the agricultural use of the properties. Mr. Parlee was present at the meeting and is seeking an extension of the lease until such time the new RFP is written. Planting season is her and would like to continue farming the land. Selectman Lambert motioned to allow the current users to farm the land until such time a new lease and the Town to seek new fees, second by Selectwoman Puleo for discussion. The Board and Commission discussed further the issues of use and access. Selectman Lambert motioned to withdraw his motion, second by Selectwoman Puleo. After discussions The Board voted 4-1 on a motion by Selectwoman Puleo, second by Selectman Reault to authorize the Town Administrator to work a stop gap lease/license for current leases to continue to farm the land until January 1st, 2013, at which time an RFP will be available.

Mr. Smith, Chair of the Conservation Commission asked about the stabilization of the Frost Road Park, funds were put aside by the Community Preservation Committee. There was a disagreement in the manner and material to be used on the repair. The Board placed it on the agenda for May 21st.

E. Lunenburg Affordable Housing Letter

The Board received a letter from the Lunenburgh Officials asking the Board to support their efforts in soliciting an amicus brief against a denial decision of the Housing Appeals Committee. A developer in their community submitted a 40B project to the Lunenburg Zoning Board of Appeals, the Lunenburg Zoning Board of Appeals denied the request, subsequently an appeal was filed and the Housing Appeals Committee granted the appeal. The Town of Lunenburg filed an appeal at the Supreme Judicial Court who is soliciting "amicus" or "friends of the court" briefs from interested parties. The Board will give the Attorneys time to speak to one another once Town Counsel addresses the Board the Board will review further.

3. Old Business - No Old Business This Evening.

4. Citizen/Business Time - No One Came Forward This Evening.

Citizens or business owners may contact the Office of the Selectmen to request to address the Selectmen during citizen/business time. Citizens or business owners who have not contacted the Office of the Selectmen in advance may address the Board of Selectmen on matters of interest to the public for not more than five (5) minutes.

5. Meeting Minutes: Review/Approve

- A. Monday, October 17, 2011**
- B. Monday, January 30, 2012**
- C. Monday, February 13, 2012**
- D. Monday, February 27, 2012**
- E. Monday, March 12, 2012**
- F. Monday, March 26, 2012**

- G. Monday, April 9, 2012**
- H. Tuesday, April 17, 2012**
- I. Monday, April 30, 2012**
- J. Monday, May 7, 2012**

The Board voted 4-0-1 on a motion by Selectman Reault, second by Selectman Lambert to approve the minutes of Monday, October 17, 2011; Monday, January 30, 2012; Monday, February 13, 2012; Monday, February 27, 2012; Monday, March 12, 2012; Monday, March 26, 2012; Monday, April 9, 2012; Tuesday, April 17, 2012; Monday, April 30, 2012; Monday, May 7, 2012

Work Session Minutes Review/Approve

- A. Monday, March 26, 2012**
- B. Tuesday, April 24, 2012**
- C. Monday, April 30, 2012**

The Board voted 4-0-1 on a motion by Selectman Reault, second by Selectman Lambert to approve the minutes of Monday, March 26, 2012; Tuesday, April 24, 2012; Monday, April 30, 2012

Executive Session Minutes: Review/Approve/Not Release

- A. Monday, October 17, 2011**
- B. Monday, November 21, 2011**
- C. Thursday, December 8, 2011**
- D. Monday, January 23, 2012**
- E. Monday, February 13, 2012**
- F. Monday, March 12, 2012**
- G. Monday, March 26, 2012**
- H. Tuesday, April 24, 2012**
- I. Monday, April 30, 2012**

The Board voted 4-0-1 on a motion by Selectman Reault, second by Selectman Lambert to approve but not release the minutes of Monday, October 17, 2011; Monday, November 21, 2011; Thursday, December 8, 2011; Monday, January 23, 2012; Monday, February 13, 2012; Monday, March 12, 2012; Monday, March 26, 2012; Tuesday, April 24, 2012; Monday, April 30, 2012

6. Correspondence

A list of correspondence will be included with approved meeting minutes per the requirements of the Massachusetts Open Meeting Law and may be posted online at www.tyngsboroughma.gov. Copies of correspondence may be requested from the Office of the Board of Selectmen.

The Board voted 5-0 on a motion by Selectman Reault, second by Selectwoman Puleo to accept the correspondence as submitted. The Board asked that the Administrator clarify the request for the special permit with the owners. The Board stated they have no objections to Smokey Bones' request for an outdoor patio.

7. Selectmen's Reports

- Selectwoman Puleo thanked the voters for electing me to the Board.
- Selectman Reault – No notes this evening.
- Selectman Jackson thanked the voters for their vote, Bob welcomed Karyn to the

Board and he thanked Elizabeth for her time and service to the community. Selectman Jackson announced the Town Meeting for tomorrow night and asks that the residents attend. The street acceptance of St Mary Lane is on the warrant. Bob placed discussions on the functions of the Board on the Work Session for May 21, 2012.

- Selectman Curseaden – No notes this evening.
- Selectman Lambert welcomed Karyn and Bob to the Board. Announced the ATM

and STM tomorrow night starting at 7:00 PM and welcomed everyone to attend.

8. Town Administrator's Reports

- Response to Selectmen's Requests

The correspondence to Ms. Maria Sarcia-Borino concerning the request for a beer/wine restaurant license; and the communication with the Town Clerk concerning the acceptance of St. Mary Lane.

- Budget

The Town's letters associated with the recently-completed FY 2011 audit. Copies are in your packets. Also included in your packets is a copy of the year to date departmental expenditure reports. The associated transfers for consideration at Tuesday's Special Town Meeting to finish the year are under a separate cover. And the final proposed article 5 which was endorsed by the Finance Committee is also attached.

- Departmental Information

Attached is a copy of the required stormwater filings completed by the Conservation Director with my guidance.

- Contracting/Procurement

The Administrator presented the two contracts for renewal:

Audit services: RE Brown has been the Town's auditor for number of years and because of the ongoing transition in that department, I recommend renewing with the firm for FY 2012-2014. This contract is exempt from Chapter 30B. The Board voted 5-0 on a motion by Selectwoman Puleo, second by Selectman Reault to renew the contract with RE Brown for FY 2012-2014.

Property/casualty insurance: it has been a priority to look at every option for all facets of insurance, however analysis the task for both health and property/casualty was tall and review of the Town's options for property/casualty remains incomplete. MIAA is a well-respected firm that affords group rate to cities and towns, and I recommend renewal for FY2013-2014 within the guaranteed parameters presented in the attached letter. The Board voted 5-0 on a motion by Selectwoman Puleo, second by Selectman Reault to renew the Property/Casualty Insurance.

- Other

Attached are copies of the Senior Tax Work Off participant appointments, also attached is correspondence with a resident concerning the laying out of Cedar Streets, the matter is resolved and payment will be issued. The final Fin Com Report/Guide is included in your packet.

9. Work Session (if needed) – No Work Session Was Needed

10. Executive Session

The board may move to go into executive session to discuss strategy with respect to collective bargaining, litigation, or exempt negotiations if an open meeting may have a detrimental effect on such subject matters.

- Collective Bargaining

The Board voted on a motion by Selectman Lambert, second by Selectman Reault to enter into Executive Session to discuss, collective bargaining as an open meeting may have a detrimental effect on such subject matter and to return to open session only to adjourn.

Roll Call Vote: Selectman Lambert, yes; Selectman Curseaden, yes; Selectwoman Puleo, yes; Selectman Jackson, yes; Selectman Reault, yes.

The Board entered into executive session at 7:55 P.M.

The Board exited Executive Session and returned to open session to adjourn at 8:45PM

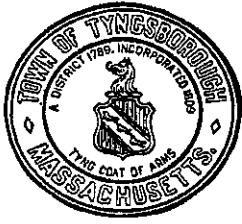
11. Adjournment

The Board voted 4-0 on a motion by Selectman Jackson, second by Selectman Lambert to adjourn the meeting. The meeting adjourned at 8:45 PM.

Respectfully Submitted by

Therese Gay
Admin Assistant

Approved on *Monday June 4, 2012*



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2. 6:05 PM New Business

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C. FY 2012-2013 Appointments - Discussion

D. Joint Meeting with the Conservation Commission – Hunter/Norton Property

E. Lunenburg Affordable Housing Letter

3. Old Business

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7. Selectmen's Reports

- Selectwoman Puleo –
- Selectman Reault – Northern Middlesex Council Of Government
- Selectman Jackson – Street Acceptance/Roads
- Selectman Curseaden – Technology, Pawtucket Blvd Project, Abandoned Homes
- Selectman Lambert -

8. Town Administrator's Reports

- Response to Selectmen's Requests
- Budget
- Departmental Information
- Contracting/Procurement
- Other

9. Work Session (if needed)

10. Executive Session (if needed)

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- Collective Bargaining

11. Adjournment

Future Meetings

Selectmen's Meeting Tuesday, May 15, 2012 at 6:00 PM at Tyngsborough Elementary School
Annual and Special Town Meeting Tuesday, May 15, 2012 at 7:00 PM at Tyngsborough
Elementary School, 250 Westford Road

Selectmen's Meeting Monday, May 21, 2012 at 6:00 PM at the Town Offices

****Monday May 28, 2012 Town Offices Closed in Observance of Memorial Day**

Board of Selectmen Correspondence - Week of May 11, 2012

[illegible]